

§ 76.2000

used to decrypt the distributor's signal information, and

(2) Require that such consumer product, following such decryption, protect the content of such signal as if it were a covered demodulator product receiving marked content.

(c) *Unencrypted retransmission.* Where a multichannel video programming distributor retransmits unencrypted digital terrestrial broadcast content in unencrypted form, such distributor shall, upon demodulation:

(1) Preserve the broadcast flag, if present, in both the EIT and PMT; and

(2) Use 8-VSB, 16-VSB, 64-QAM, or 256-QAM signal modulation for the retransmission.

(d) *Unmarked content.* Where a multichannel video programming distributor retransmits unencrypted digital terrestrial broadcast content that is not marked with the broadcast flag, the multichannel video programming distributor shall not encode such content to restrict its redistribution.

[68 FR 67607, Dec. 3, 2003]

**Subpart X—Access to MDUs**

**§ 76.2000 Exclusive access to multiple dwelling units generally.**

(a) *Prohibition.* No cable operator or other provider of MVPD service subject to 47 U.S.C. 548 shall enforce or execute any provision in a contract that grants to it the exclusive right to provide any video programming service (alone or in combination with other services) to a MDU. All such exclusivity clauses are null and void.

(b) *Definition.* For purposes of this rule, MDU shall include a multiple dwelling unit building (such as an apartment building, condominium building or cooperative) and any other centrally managed residential real estate development (such as a gated community, mobile home park, or garden apartment); provided however, that MDU shall not include time share units, academic campuses and dormitories, military bases, hotels, rooming houses, prisons, jails, halfway houses, hospitals, nursing homes or other assisted living facilities.

[73 FR 1089, Jan. 7, 2008]

**47 CFR Ch. I (10–1–13 Edition)**

**ALPHABETICAL INDEX—PART 76**

A	
A and B grade contours .....	76.5
Access, Channel enforcement .....	76.10
Address, operator or status change reports .....	76.400
Aeronautical and marine emergency frequencies, Operation near .....	76.616
Aeronautical band usage, Notification requirements .....	76.615
Authority, Special temporary .....	76.29
B	
B and A grade contours .....	76.5
Boundaries, TV markets .....	76.53
Broadcast, Sports .....	76.67
Broadcast station, TV .....	76.5
C	
Cable TV channel: Classes I, II, III, IV .....	76.5
Cablecasting .....	76.5
CATV basic signal leakage performance criteria .....	76.611
CATV system .....	76.5
CATV system interference .....	76.613
Candidates for public office, Cablecast by ... ..	76.205
Carriage disputes .....	76.58
Carriage, mandatory, Expiration of .....	76.64
Carriage, Manner of .....	76.62
Carriage of other TV signals .....	76.60
Carriage of TV stations, Mandatory .....	76.56
Carriage of TV stations, Mandatory, Exemption from .....	76.70
Channel access enforcement .....	76.10
Communities, Designated .....	76.51
Community, Principal contour .....	76.5
Community unit .....	76.5
Consumer education-selector switches .....	76.66
Cross-ownership .....	76.501
D	
Definitions, Part 76 .....	76.5
Designated communities .....	76.51
Dismissal: Special relief petitions .....	76.8
Disputes concerning carriage .....	76.58
Doctrine, Fairness .....	76.209
E	
Editorials, Political .....	76.209
Enforcement, Channel access .....	76.10
Enforcement, Lockbox .....	76.11
Equal employment opportunity—	
Scope .....	76.71
General Policy .....	76.73
Program requirements .....	76.75
Reporting requirements .....	76.77
Public inspection of records .....	76.79
Exceptions, to rules provisions—	
Network program nonduplication ....	76.95
Signal leakage performance criteria .....	76.618
Frequency separation standards ....	76.618
F	
Fairness doctrine .....	76.209
File, Public inspection .....	76.305
Forfeitures .....	76.9
Forms, Report .....	76.403
Frequency bands 108–136; 225–400 MHz, Operation in .....	76.610
Frequency separation standards .....	76.612
Frequency separation standards, Exception to .....	76.618
Full network station .....	76.5
G	
Grandfathering, exceptions to rules provisions—	

**Federal Communications Commission**

**Pt. 76, Index**

Non-network program exclusivity ... 76.99  
 Non-applicability of §§ 76.611 and 76.612. 76.618  
 Operation in frequency bands 108–136; 225–400 MHz. 76.619

**H-I**

Identification Sponsorship; list retention ..... 76.221  
 Independent station ..... 76.5  
 Input selector switches ..... 76.66  
 Input selector switches, consumer education ..... 76.66  
 Input selector switches, Exemption ..... 76.70  
 Inspection, CATV systems, by FCC ..... 76.307  
 Interference from CATV system ..... 76.613  
 Interference, Receiver-generated, Responsibility. 76.617  
 Isolation, Terminal ..... 76.5

**J-L**

Leakage measurements, Signal ..... 76.601  
 Leakage, Signal, performance criteria ..... 76.611  
 Leakage, Signal, performance criteria, Exception. 76.618  
 List retention, Sponsorship identification ..... 76.221  
 Lockbox enforcement ..... 76.11  
 Lotteries ..... 76.213

**M**

Mandatory carriage of TV stations ..... 76.56  
 Mandatory carriage of TV stations, Exemption from. 76.70  
 Manner of carriage ..... 76.62  
 Marine and aeronautical emergency frequencies, Operation near. 76.716  
 Major TV markets ..... 76.51  
 Market size operation provisions—  
 Measurements, Performance ..... 76.609  
 Measurements, Signal leakage ..... 76.601  
 Monitoring, CATV system ..... 76.614  
 Must carry requirements ..... 76.55, 76.59, 76.61, 76.64

**N**

Network nonduplication: protection extent .... 76.94  
 Network nonduplication waivers ..... 76.97  
 Network program nonduplication: Exceptions 76.95  
 Network program nonduplication: Notification. 76.94  
 Network programming ..... 76.5  
 Network programs: nonduplication protection 76.92  
 Network station, Full ..... 76.5  
 Network station, Partial ..... 76.5  
 Noise, System ..... 76.5  
 Nonduplication protection, Network programs. 76.92  
 Non-network program exclusivity, exceptions 76.99  
 Notification requirements: aeronautical bands. 76.615  
 Notification requirements: network nonduplication. 76.94

**O**

Operation in frequency bands 108–136 and 225–400 MHz. 76.610  
 Operator, address or status change reports 76.400  
 Order, Show cause ..... 76.9  
 Ownership, Cross ..... 76.501

**P**

Partial network station ..... 76.5  
 Performance measurements ..... 76.609  
 Personal attacks: political cablecasts ..... 76.209  
 Petitions, Dismissal of ..... 76.8  
 Petitions for waiver ..... 76.7  
 Political editorials ..... 76.209  
 Possession of rules ..... 76.301  
 Prime time ..... 76.5

Program carriages, STV ..... 76.64  
 Programming, Network ..... 76.5  
 Protection extent: network nonduplication .... 76.94  
 Public inspection file ..... 76.305  
 Public office, Cablecasts by candidates for .. 76.205  
 PURPOSE—Part 76 ..... 76.1

**Q**

Qualified TV station, Showing ..... 76.55

**R**

Rate regulation standards ..... 76.33  
 Receiver generated interference ..... 76.617  
 Reference points, Major/smaller markets ..... 76.53  
 Registration statement: signature ..... 76.14  
 Registration statement ..... 76.12  
 Relief, Special ..... 76.7  
 Report forms ..... 76.403  
 Reports: Change of operator, address, status. 76.400  
 Responsibility for receiver-generated interference. 76.617  
 Rule waiver ..... 76.7  
 Rules, Possession ..... 76.301

**S**

Selector switches, Input ..... 76.66  
 Selector switches, input, Exemption ..... 76.70  
 Show cause order ..... 76.9  
 Signal leakage measurements ..... 76.601  
 Signal leakage performance criteria ..... 76.611  
 Signature: registration statement ..... 76.14  
 Significantly viewed signals ..... 76.54  
 Special relief ..... 76.7  
 Special relief petitions, Dismissal of ..... 76.8  
 Special temporary authority ..... 76.29  
 Specified zone, TV station ..... 76.5  
 Sponsorship identification, List retention .... 76.221  
 Sports broadcasts ..... 76.67  
 Standards for rate regulation ..... 76.33  
 Standards, Technical ..... 76.605  
 Station protection: network program nonduplication. 76.92  
 Status, operator or address change reports 76.400  
 Subscriber terminal ..... 76.5  
 Subscribers ..... 76.5  
 System community unit ..... 76.5  
 System inspection (by FCC) ..... 76.307  
 System monitoring ..... 76.614  
 System noise ..... 76.5

**T**

Technical standards ..... 76.605  
 Terminal isolation ..... 76.5  
 Terminal, Subscriber ..... 76.5  
 Tests, Performance ..... 76.601  
 Translator station, TV ..... 76.5  
 TV markets, Boundaries of ..... 76.53  
 TV markets, Major ..... 76.51  
 TV signals, Carriage non-mandatory ..... 76.60

**U-V**

Vertical blanking interval, Services on ..... 76.64

**W**

Waiver, Network nonduplication ..... 76.97  
 Waiver, Rules ..... 76.7

**X-Y-Z**

Zone, Specified, of TV station ..... 76.5

[50 FR 38536, Sept. 23, 1985; 50 FR 39114, Sept. 27, 1985, as amended at 51 FR 34622, Sept. 30, 1986; 52 FR 37316, Oct. 6, 1987]